

critical infrastructure, and for sign-off at the Deputy Secretary level that there is no threat to the national security by the proposed transaction;

Provides for certain exceptions for the requirement that a state-owned entity automatically go to the investigation stage if the Secretary or Deputy Secretary of the Treasury, and the equivalent level official in the lead agency, determine after review of the transaction that national security will not be impaired by the transaction;

Requires assessment of a country's compliance with U.S. and multilateral counterterrorism, nonproliferation and export control regimes for acquisitions by state-owned companies in the investigation stage;

Provides authority to the President to suspend or prohibit a covered transaction if there is credible evidence that such transaction threatens to impair U.S. national security;

Provides authority to CFIUS, or the lead agencies acting on behalf of CFIUS, to negotiate, impose and enforce conditions necessary to mitigate any threat to national security related to a covered transaction;

Adds to the list of factors that CFIUS should consider in the conduct of its reviews and investigation to include among other things consideration of the potential impact of a transaction on critical infrastructure, energy assets, or critical technologies;

Provides for written notice, to the Congress at the conclusion of the CFIUS process for both reviews and investigations, providing details about the transaction, including written assurance that the transaction does not threaten to impair national security or that any initial concerns have been mitigated through binding agreements between the parties and CFIUS, or the lead agency or agencies designated by the Chairman of CFIUS;

Provides for detailed annual reports to Congress on the activities of CFIUS, including information concerning the transactions that have been reviewed or investigated during the previous 12 months;

Provides for an investigation by the Inspector General of the Department of Treasury to determine why the department failed to comply with provisions of the Defense Production Act with respect to certain reporting requirements related to potential industrial espionage or coordinated strategies by foreign parties with respect to U.S. critical technology by foreign parties; and

Provides for the issuance of regulations and guidance to carry out the provisions of the Act.

Madam President, Ranking Member RICHARD SHELBY and I believe that Senate passage of S. 1610 as amended by the Dodd/Shelby substitute amendment, which is largely technical in nature, will not only implement needed reforms and thereby strengthen national security, but also provide more transparency and predictability to the CFIUS process that is important to en-

suring that the U.S. economy continues to benefit from the fruits of foreign direct investment. We strongly urge our colleagues to support this important legislation.

Mr. SHELBY. Madam President, I rise in support of the Senate's passage of the Foreign Investment and National Security Act of 2007. This important bill reforms the process through which the Committee on Foreign Investment in the United States reviews foreign investment in our country. It establishes a process for reviewing foreign investment transactions that thoroughly examines issues relating to national security, involves clear lines of responsibility, and is flexible to meet the demands of the market.

I appreciate the leadership and hard work of Chairman DODD on this matter.

LABOR MANAGEMENT RIGHTS

Mr. CRAIG. Madam President, I rise today to commend Chairman DODD and Ranking Member SHELBY on their work regarding the Committee on Foreign Investment in the United States, CFIUS.

Last year, a company called Dubai Ports World sought to purchase labor management rights to several U.S. ports, a proposal that was approved by CFIUS. However, numerous Members of Congress, the media and the American public quickly and loudly voiced concerns over the way in which the CFIUS process had occurred. Because of the enormous outcry, Senator SHELBY, then Chairman of the Banking Committee, worked with then-Ranking Member Senator Sarbanes, to make the CFIUS process more transparent and much more effective.

I want to commend both Senators for their work on this legislation, and I believe that their hard work has produced legislation that will bolster American support for foreign investments.

Many different agencies within the Federal Government have the responsibility to investigate foreign investment proposals before they can be approved. Those agencies, including our intelligence community, have a serious responsibility to ensure that each proposed foreign investment in our country will not jeopardize national security. It is my understanding that currently, the Director of National Intelligence has the authority to tap any of the intelligence agencies within our Federal Government to conduct analysis of technology transfers and economic impacts of any foreign investment proposals. Senator SHELBY, is that your understanding of the responsibilities held by the Director of National Intelligence?

Mr. SHELBY. The Senator is correct. Currently the DNI can use different intelligence agencies to conduct economic analysis, including technology transfers, to ensure that such foreign investment proposals will not jeopardize our national security.

Mr. CRAIG. I thank the Senator. Madam President, the reason I bring up

that concern is that I do not believe that such analyses are occurring, or that very little economic analysis is being conducted by our intelligence communities.

I am hopeful that this legislation crafted by Senators SHELBY and DODD will pass the Senate quickly and that it can be signed into law, because America should be a country that welcomes foreign investment. However, we must be absolutely certain that any investment into our country will not have a negative economic impact or impair our national security. I sincerely hope that the Director of National Intelligence will participate fully in the CFIUS process and use all available resources to ensure that all foreign investment proposals receive very thorough and timely analysis to ensure congressional and public support for increased investment in our country, while at the same time ensure our national security is not placed in jeopardy.

Again, I would like to commend the chair and ranking member of the Senate Banking Committee for their hard work and dedication to this legislation and I will strongly support its passage.

Mr. REID. Madam President, I ask unanimous consent that a Dodd-Shelby substitute amendment, which is at the desk, be agreed to, the bill, as amended, be read the third time; further, I ask unanimous consent that the Banking Committee be discharged from the consideration of H.R. 556, and the Senate proceed to its consideration; that all after the enacting clause be stricken, and the text of S. 1610, as amended, be inserted in lieu thereof; the bill, as amended, be read the third time and passed, and the motions to reconsider be laid upon the table, without any intervening action or debate; that S. 1610 be placed back on the calendar; that any statements relating to the bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 2002) was agreed to.

(The amendment is printed in today's RECORD under "Text of Amendments.")

The amendment was ordered to be engrossed and the bill to be read the third time.

The bill (H.R. 556), as amended, was read the third time and passed.

PASSPORT BACKLOG REDUCTION ACT OF 2007

Mr. REID. Madam President, I ask unanimous consent that the Senate proceed to Calendar No. 239, S. 966.

The PRESIDING OFFICER. The clerk will state the bill by title.

The bill clerk read as follows:

A bill (S. 966) to enable the Department of State to respond to a critical shortage of passport processing personnel, and for other purposes.

The Senate proceeded to consider the bill which had been reported from the Committee on Foreign Relations, with an amendment, as follows:

(The part of the bill intended to be stricken are shown in boldface brackets and the parts of the bill intended to be inserted are shown in italics.)

S. 966

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

[SECTION 1. SHORT TITLE.]

[This Act may be cited as the “Department of State Crisis Response Act of 2007”.]

[SEC. 2. REEMPLOYMENT OF CIVIL SERVICE ANNUITANTS.]

[Section 61(a) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2733(a)) is amended—

[(1) in paragraph (1), by striking “To facilitate” and all that follows through “, the Secretary” and inserting “The Secretary”; and

[(2) in paragraph (2), by striking “2008” and inserting “2010”].

[SEC. 3. REEMPLOYMENT OF FOREIGN SERVICE ANNUITANTS.]

[Section 824(g) of the Foreign Service Act of 1980 (22 U.S.C. 4064(g)) is amended—

[(1) in paragraph (1)(B), by striking “to facilitate” and all that follows through “Afghanistan.”; and

[(2) in paragraph (2), by striking “2008” and inserting “2010”].

SECTION 1. SHORT TITLE.

This Act may be cited as the “Passport Backlog Reduction Act of 2007”.

SEC. 2. REEMPLOYMENT OF FOREIGN SERVICE ANNUITANTS.

Section 824(g) of the Foreign Service Act of 1980 (22 U.S.C. 4064(g)) is amended—

(1) in paragraph (1)—

(A) in subparagraph (A), by striking “; or” and inserting a semicolon;

(B) in subparagraph (B), by striking the period at the end and inserting “; or”; and

(C) by adding at the end the following new subparagraph—

“(C)(i) to provide assistance to consular posts with a substantial backlog of visa applications; or

“(ii) to provide assistance to meet the demand resulting from the passport and travel document requirements set forth in section 7209(b) of the Intelligence Reform and Terrorism Prevention Act of 2004 (Public Law 108-458; 8 U.S.C. 1185 note).”;

(2) by redesignating paragraph (3) as paragraph (4); and

(3) by inserting after paragraph (2) the following new paragraph:

“(3) The authority of the Secretary to waive the application of subsections (a) through (d) for an annuitant pursuant to paragraph (1)(C) shall terminate on September 30, 2010.”.

Mr. REID. Madam President, I ask unanimous consent that the committee-reported amendment be considered agreed to, the bill, as amended, be read the third time and passed, the motion to reconsider be laid upon the table; and that any statements relating to the matter be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The committee amendment was agreed to.

The bill (S. 966), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 966

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Passport Backlog Reduction Act of 2007”.

SEC. 2. REEMPLOYMENT OF FOREIGN SERVICE ANNUITANTS.

Section 824(g) of the Foreign Service Act of 1980 (22 U.S.C. 4064(g)) is amended—

(1) in paragraph (1)—

(A) in subparagraph (A), by striking “; or” and inserting a semicolon;

(B) in subparagraph (B), by striking the period at the end and inserting “; or”; and

(C) by adding at the end the following new subparagraph—

“(C)(i) to provide assistance to consular posts with a substantial backlog of visa applications; or

“(ii) to provide assistance to meet the demand resulting from the passport and travel document requirements set forth in section 7209(b) of the Intelligence Reform and Terrorism Prevention Act of 2004 (Public Law 108-458; 8 U.S.C. 1185 note).”;

(2) by redesignating paragraph (3) as paragraph (4); and

(3) by inserting after paragraph (2) the following new paragraph:

“(3) The authority of the Secretary to waive the application of subsections (a) through (d) for an annuitant pursuant to paragraph (1)(C) shall terminate on September 30, 2010.”.

ORDER FOR STAR PRINT—S. 1710

Mr. REID. Madam President, I ask unanimous consent that S. 1710 be star printed with the changes at the desk.

The PRESIDING OFFICER. Without objection, it is so ordered.

AUTHORITY TO MAKE APPOINTMENTS

Mr. REID. Madam President, I ask unanimous consent that notwithstanding the recess or adjournment of the Senate, the President of the Senate, the President pro tempore, and the majority and minority leaders be authorized to make appointments to commissions, committees, boards, conferences, or interparliamentary conferences authorized by law, by concurrent action of the two Houses, or by order of the Senate.

The PRESIDING OFFICER. Without objection, it is so ordered.

AUTHORITY FOR COMMITTEES TO REPORT

Mr. REID. Madam President, I ask unanimous consent that the Senate

committees may report legislative and Executive Calendar business on Tuesday, July 3, from 10 a.m. to 12 noon, notwithstanding a recess or adjournment of the Senate.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR RECORD TO REMAIN OPEN

Mr. REID. Madam President, I ask unanimous consent that the RECORD remain open until 2 p.m. today for the introduction of legislation, submission of statements, and adding cosponsors, notwithstanding adjournment of the Senate.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDERS FOR MONDAY, JULY 9, 2007

Mr. REID. Madam President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned until 2 p.m. Monday, July 9; that on Monday, following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, and the time of the two leaders reserved for their use later in the day; that there then be a period of morning business until 3 p.m., with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees; that at 3 p.m., the Senate proceed to consideration of H.R. 1585, as provided under a previous order.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. REID. As I mentioned this morning, and I will reiterate now, Madam President, on Monday, July 9, at 5:30 p.m., Members should expect a number of rollcall votes on judicial nominations.

ADJOURNMENT UNTIL MONDAY, JULY 9, 2007, AT 2 P.M.

Mr. REID. If there is no further business to come before the Senate today, I now ask unanimous consent that the Senate stand adjourned under the provisions of H. Con. Res. 179.

There being no objection, the Senate, at 12:51 p.m., adjourned until Monday, July 9, 2007, at 2 p.m.